

NATURALIZATION

Convention signed at Washington July 10, 1868

*Senate advice and consent to ratification, with an amendment, July 25, 1868*¹

Ratified by Mexico December 26, 1868

*Ratified by the President of the United States, with an amendment, January 27, 1869*¹

Ratifications exchanged at Washington February 1, 1869

Entered into force February 1, 1869

Proclaimed by the President of the United States February 1, 1869

*Terminated February 15, 1882*²

15 Stat. 687; Treaty Series 213

The President of the United States of America and the President of the Republic of Mexico, being desirous of regulating the citizenship of persons who emigrate from Mexico to the United States of America, and from the United States of America to the Republic of Mexico, have decided to treat on this subject, and with this object have named as Plenipotentiaries, the President of the United States, William H. Seward, Secretary of State; and the President of Mexico, Matias Romero, accredited as Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico near the Government of the United States, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

Those citizens of the United States who have been made citizens of the Mexican Republic by naturalization, and have resided, without interruption, in Mexican territory five years, shall be held by the United States as citizens of the Mexican Republic, and shall be treated as such. Reciprocally, citizens of the Mexican Republic who have become citizens of the United States, and who have resided uninterruptedly in the territory of the United States for

¹ The United States amendment reads as follows:

"At the end of Article 4 [IV], add the following words: *but this presumption may be rebutted by evidence to the contrary.*"

The text printed here is the amended text as proclaimed by the President.

² Pursuant to notice of termination given by Mexico Feb. 15, 1881.

five years, shall be held by the Republic of Mexico as citizens of the United States, and shall be treated as such. The declaration of an intention to become a citizen of the one or the other country has not for either party the effect of naturalization. This article shall apply as well to those already naturalized in either of the countries contracting as to those hereafter naturalized.

ARTICLE II

Naturalized citizens of either of the contracting parties, on return to the territory of the other, remain liable to trial and punishment for an action punishable by the laws of his original country, and committed before his emigration; saving always the limitations established by his original country.

ARTICLE III

The convention for the surrender in certain cases of criminals, fugitives from justice, concluded between the United States of America on the one part, and the Mexican Republic on the other part, on the eleventh day of D cember, one thousand eight hundred and sixty-one,^a shall remain in full force without any alteration.

ARTICLE IV

If a citizen of the United States naturalized in Mexico renews his residence in the United States without the intent to return to Mexico, he shall be held to have renounced his naturalization in Mexico. Reciprocally, if a Mexican naturalized in the United States renews his residence in Mexico without the intent to return to the United States, he shall be held to have renounced his naturalization in the United States.

The intent not to return may be held to exist when the person naturalized in the one country resides in the other country more than two years, but this presumption may be rebutted by evidence to the contrary.

ARTICLE V

The present convention shall go into effect immediately on the exchange of ratifications, and it shall remain in full force for ten years. If neither of the contracting parties shall give notice to the other six months previously of its intention to terminate the same, it shall further remain in force until twelve months after either of the contracting parties shall have given notice to the other of such intention.

ARTICLE VI

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by the

^a TS 209, *ante*, p. 817.

President of the Mexican Republic, with the approval of the Congress of that republic, and the ratifications shall be exchanged in Washington within nine months from the date hereof.

In faith whereof the Plenipotentiaries have signed and sealed this convention at the city of Washington, this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

WILLIAM H. SEWARD [SEAL]

M. ROMERO [SEAL]